IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO.174 OF 2005

Smt. Sangeeta Mishra. ..Petitioner.
Vs.
M/s. Suman Resorts India Ltd. ..Respondent.

Mr. M.V. Mimani for the Petitioner.

CORAM : A.M. KHANWILKAR, J.
DATED : 21/7/2005.

P.C.:

1. The affidavit of service is filed. The endorsement on the packet sent by speed post indicates that the service was refused by the respondent, which is a good service. On perusing the documents on record and pleadings, it is seen that the respondent is liable to pay sum of Rs.1,31,500/-. Inspite of the statutory notice, neither amount is paid nor reply has been filed to the present petition. In that sense, the assertions made in the petition have remained uncontroverted. As a consequence, legal presumption against the respondent that respondent company is unable to pay its debt, is unrebutted. Hence, admit. Notice be published in Free Press Journal, Navshakti and Government Gazette. The petitioner to deposit a sum of Rs.2000/- with the Prothonotary and Sr. Master of this court within a period of four weeks from today.

(A.M. KHANWILKAR,J.)